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**PLANNING COMMISSIONERS**

Robert Benich, Chair	Jerry Dommer, Vice Chair
Joseph Mueller, Commissioner	Wayne Tanda, Commissioner
John McKay, Commissioner	Susan Koepp-Baker, Commissioner
John Moniz, Commissioner	

**PLANNING COMMISSION MEETING**

**MARCH 27, 2012**

**CITY COUNCIL CHAMBERS  
CIVIC CENTER  
17555 PEAK AVENUE  
MORGAN HILL, CA**

**REGULAR MEETING - 7:00 P.M.**

**\*\*\* A G E N D A \*\*\***

**NOTICE TO THE PUBLIC**

*The following policies shall govern the conduct of the Planning Commission meetings:*

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
  - *Those supporting the application*
  - *Those opposing the application*
  - *Those with general concerns or comments*
  - *Presentations are limited to 5 minutes*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH  
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

## PLANNING COMMISSION AGENDA

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### **OPEN PUBLIC COMMENT PERIOD (5 MINUTES)**

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

### **ORDERS OF THE DAY**

**MINUTES:** The March 13, 2012 minutes will be included in the April 10, 2012 agenda packet.

### **CONTINUED PUBLIC HEARINGS:**

- 1)      10 Minutes      A. **DEVELOPMENT AGREEMENT, DA-12-01: E. DUNNE-EAH:**  
A request for approval of a development agreement for a 40-unit senior apartment facility to be located on the north side of E. Dunne Ave. between the railroad tracks and the Mama Mia restaurant. (APN 726-04-012)
- B. **DEVELOPMENT AGREEMENT, DA-12-02: DIANA-DENOVA:**  
A request for approval of a development agreement for a 40-lot townhouse project to be located on the south side of Diana Ave. adjacent to the railroad tracks, across from the County Courthouse. (APNs 726-04-006 & 011)

**Recommendation:** Re-open public hearing, Adopt Resolution recommending Council approval of Development Agreements.

### **PUBLIC HEARINGS:**

- 2)      15 Minutes      **SUBDIVISION, SD-12-02: DIANA-DENOVA:** A request for approval of a 40 lot subdivision of a 2.56 area located on the south side of Diana Ave., west of Butterfield Blvd. and east of the railroad tracks. The subdivision would create a 40 lot townhouse development located in a Downtown Medium-Density Residential Planned Development zoning district. (APNs 726-04-006 & 011)

**Recommendation:** Open public hearing. Adopt Resolution approving subdivision.

- 3)      15 Minutes      **SUBDIVISION, SD-11-12: MURPHY-MILANO:** A request for approval of a 44 lot residential tentative subdivision map for Phases 2 and 3 of the project on a 5.1-acre site located on the west side of Murphy Ave., north of E. Dunne Ave. The subdivision would allow the commencement of single-family and townhouse units for the remaining phases of the project. (APNs 728-17-018 and 022)

**Recommendation:** Open public hearing. Adopt Resolution approving subdivision.

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- 4) 30 Minutes [ZONING AMENDMENT, ZA-11-17/SUBDIVISION, SD-11-10/ DEVELOPMENT AGREEMENT\(S\): DA-11-03/DA-11-09, ENVIRONMENTAL ASSESSMENT, EA-11-14: W. EDMUNDSON/ PIAZZA-UCP:](#) A request for approval of a zoning amendment to establish a precise development plan, subdivision and development agreements for a 43-unit (31 single family and 12 duet units) project proposed on a 10.48 acre site located on the south side of Edmundson Ave. adjacent to the west side of Piazza Way. (APNs 767-21-13, 14, 15 & 45)

**Recommendation:** Open public hearing. Recommend Council approval of Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. Adopt Resolution recommending Council approval of Zoning Amendment. Adopt Resolution approving subdivision, subject to Council approval of Zoning Amendment. Adopt Resolutions recommending Council approval of Development Agreements.

### **TENTATIVE AGENDA FOR THE APRIL 10, 2012 MEETING:**

- DAA-06-03E: Jarvis-So County Housing
- DAA-09-03B: Murphy-KB Home
- UP-12-01/EA-12-04: Digital-South Valley Orthopedics
- CIP Budget for FY-2012-13

### **ANNOUNCEMENTS**

### **CITY COUNCIL REPORTS**

### **ADJOURNMENT**

### **SPEAKER CARD**

*If you wish to address the Commission on any issue that is on this agenda, please complete a speaker request card located in the foyer of the Council Chambers, and deliver it to the Deputy City Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order to speak to the Commission, but it is very helpful. As you are called, please walk to the podium to be recognized by the Chairperson. Please speak directly into the microphone while making your comments. Please limit your remarks to three (3) minutes.*

### **NOTICE**

### **AMERICANS WITH DISABILITY ACT (ADA)**

*The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.*

*If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17575 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.*

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**NOTICE**

*NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

**NOTICE**

*The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.*

**NOTICE**

*All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the Planning Commission less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17575 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the Planning Commission. (Pursuant to Government Code 54957.5)*